IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
WRIT PETITION NO.5594 OF 2006

Dr.Keki Byram Grant & ors. .. .. Petitioners
v/s.
The Union of India & ors. .. .. Respondents

Mr.Prakash Shah for petitioners.
Mr.Y.R.Mishra with Mr.G.C.Mishra for respondents.

CORAM : H.L. GOKHALE &
J.P. DEVADHAR, JJ.

DATED : 21st September 2006

P.C. :

1. Heard the learned Counsel for the parties.

2. The petitioners are trustees of a trust known as Grant Medical Foundation which runs Ruby Hall Clinic at Pune. They are claiming that it is a charitable hospital and entitled to an exemption under para-1 of the Table to Notification No.64/88-Cus, dated 1.3,.1988. They are also claiming certain benefits on that footing which have been denied by the Directorate General of Health Services. An order has been passed to that effect on 13th December 2004 which is sought to be challenged in the present Petition.

3. Mr.Shah appearing for the petitioners fairly points out that a similar issue was

involved in Writ Petition No.2613 of 2004 filed by M/s.Jaslok Hospital and Research Centre against the Union of India, Director of Health Services and Commissioner of Customs. That Petition has been dismissed by a Division Bench by its order dated 17th December 2004.

4. In view of the above, we cannot entertain this Petition on the basis of parity of reasoning. Petition is dismissed. No order as to costs.

(H.L. GOKHALE, J.)

(J.P. DEVADHAR, J.)